

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

In the Matter of)
)
Joint Petition for Arbitration of)
)
NewSouth Communications Corp.,)
NuVox Communications, Inc.)
KMC Telecom V, Inc., KMC Telecom III LLC, and)
Xspedius Communications, LLC on Behalf of its)
Operating Subsidiaries Xspedius Management Co.)
Switched Services, LLC, Xspedius Management Co.)
Of Charleston, LLC, Xspedius Management)
Co. of Columbia, LLC, Xspedius Management Co.)
Of Greenville, LLC, and Xspedius Management Co.)
Of Spartanburg, LLC)
)
Of an Interconnection Agreement with)
BellSouth Telecommunications, Inc.)
Pursuant to Section 252(b) of the)
Communications Act of 1934, as Amended)
)

Docket No. 2005-57-C

JOINT MOTION TO MOVE CERTAIN ISSUES TO GENERIC PROCEEDING

NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc. and KMC Telecom III, LLC, and Xspedius Communications, LLC on behalf of its operating subsidiaries named in this proceeding (collectively, the "Joint Petitioners") and BellSouth Telecommunications, Inc. ("BellSouth") (together, the "Parties") jointly and respectfully request that the Commission move Issues 23, 108, 111, 113, and 114 to the pending Generic Proceeding (Docket No. 2004-316-C) for consideration and resolution. The Office of Regulatory Staff does not oppose this motion.

The Commission has established Docket No. 2004-316-C as a generic docket, and this docket has been used to address change-of-law issues arising from the Federal Communications

Commission's Triennial Review Order, FCC 03-36, 18 FCC Rcd 16978 (Aug. 21, 2003) ("*TRO*"), *Order and Notice of Proposed Rulemaking* in WC Docket No. 04-313, CC Docket No. 01-338 (rel. Aug. 20, 2004) ("*Interim Rules Order*") ("*IRO*"), and *Triennial Review Remand Order*, FCC 04-290, WC Docket No. 04-313, CC Docket No. 01-338 (rel. Feb. 4, 2005) ("*TRRO*"). The Parties believe that Issues 23, 108, 111, 113 and 114 are impacted by the FCC's release of the *TRRO* and should be moved to the Generic Proceeding for consideration and resolution because (1) those issues and the Parties' positions with respect thereto may evolve as a result of the *TRRO* and the Parties' future negotiations with respect to how the *TRRO* should be incorporated into the new Agreements that result from the above-captioned arbitration, and (2) the Commission has established a docket wherein these issues can be resolved and the results then can be folded back into the above-captioned arbitration dockets and the arbitrated agreements that result therefrom.

Accordingly, the Parties request that the Commission move Issues 23, 108, 111, 113 and 114 into the Generic Proceeding. Further, to the extent the Parties do not negotiate otherwise, the Parties request that the resolution of the Unresolved Supplemental Issues in the Generic Proceeding be folded back into the above-captioned arbitration dockets so that they can be properly incorporated into the arbitrated agreements that result therefrom.

Respectfully submitted, this 26th day of May, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.



PATRICK W. TURNER

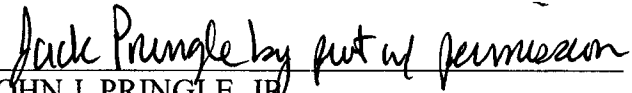
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CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused the Joint Motion to Move Certain Issues to Generic Proceeding in Docket No. 2005-57-C to be served upon the following this May 26, 2005:

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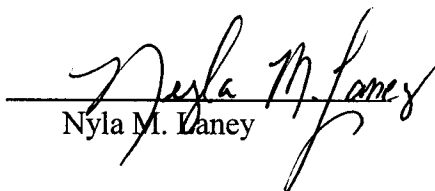
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